

STATE OF ARKANSAS
ARKANSAS EMERGENCY SERVICES ACT
ACT 511 OF 1973
As Amended by ACT 408 of 1977, ACT 891 of 1981,
ACT 629 of 1985, ACT 687 of 1985, ACT 1049 of 1993 and ACT 116 of 1995
Sixty-Ninth General Assembly
Regular Session, 1973

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"AN ACT TO ESTABLISH A STATE OF OFFICE OF EMERGENCY SERVICES IN THE OFFICE OF PUBLIC SAFETY AND ESTABLISH COMPARABLE ORGANIZATIONS WITHIN POLITICAL SUBDIVISIONS; TO GRANT CERTAIN POWERS WITH RESPECT TO EMERGENCY SERVICES OPERATIONS TO THE GOVERNOR AND TO THE CHIEF EXECUTIVE OF POLITICAL SUBDIVISIONS; TO CREATE WORKMEN'S COMPENSATION BENEFITS TO QUALIFIED EMERGENCY SERVICES VOLUNTEER WORKERS; AND FOR OTHER RELATED PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. SHORT TITLE.

This act may be cited as the Arkansas Emergency Services Act of 1973.

SECTION 2. POLICY AND PURPOSE.

- (a) Because of the existing and increasing possibility of the occurrence of a major emergency or a disaster of unprecedented size and destructiveness resulting from enemy attack, natural or man-caused catastrophes, riots and civil disturbances, and in order to insure that this State will be prepared to deal with such contingencies in a timely, coordinated and efficient manner, and generally to provide for the common defense and protect the public peace, health, safety and preserve the lives and property of the State, it is hereby found and declared to be necessary:
- (1) to create a State Office of Emergency Services and authorize and direct the creation of comparable local organizations within the political subdivisions of the State;
 - (2) to confer upon the Governor and upon the executive heads of the political subdivisions of the State the emergency powers provided herein;
 - (3) to provide for the rendering of mutual aid among the political subdivisions of the State and with other states and to cooperate with the Federal government with respect to carrying out emergency service functions;
 - (4) to direct the establishment of emergency service liaison offices within each State department and agency; and
 - (5) To provide the Workers' Compensation benefits for emergency service workers performing emergency operations. (ACT 687 of 1985)
- (b) It is further declared to be the purpose of this Act and the policy of the State to authorize and provide for a disaster management system embodying all aspects of pre-disaster preparedness and post disaster response to:
- (1) requiring all State and local government offices to coordinate all disaster related activities through the State Office of Emergency Services in order to assure maximum efficiency and economy;
 - (2) requiring that all emergency service related functions of this State be coordinated to the maximum extent with comparable functions of the Federal government including its various departments and agencies, with other States and localities, and with private agencies of every type, to the end that the most effective preparation and use may be made of the State and National manpower, resources and facilities for dealing with any disaster that may occur.

SECTION 3. DEFINITIONS.

As used in this Act:

- (a) "Emergency Services" shall mean the preparation for and carrying out of all emergency functions, by existing State and local government other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from major emergencies or from disasters caused by enemy attack, natural causes, man-made catastrophes or civil disturbances.

These functions include, without limitations: fire fighting, law and order, medical and health, rescue, engineering, warning, communications, radiological, chemical, or other special material identification, measurement, and decontamination; evacuation or relocation of persons from stricken areas; emergency social service, such as housing, feeding and locator service; emergency transportation, plant protection, damage assessment and evaluation, temporary restoration of public facilities, debris clearance, and other functions related to the protection of the people and property of the State, together with all other activities necessary or incidental to the preparation for and carrying out of all the foregoing functions.

- (b) "Disaster" means any tornado, storm, flood, high water, earthquake, drought, fire, radiological incident, air or surface borne toxic or other hazardous material contamination, or other catastrophe, whether caused by natural forces, enemy attack or any other means, occurring anywhere in the State, which, in the determination of the Governor, is or threatens to be of sufficient severity and magnitude to warrant State action or to require assistance by the State to supplement the efforts and available resources of local governments and relief organizations in alleviating the damage, loss, hardship or suffering caused thereby, and with respect to which the chief executive of any political subdivision in which the disaster occurs or threatens to occur certifies the need for State assistance and gives assurance of the local government for alleviating the damage, loss, hardship or suffering resulting from such disaster.
- (c) "Major Emergency" shall mean a condition which requires the activation of emergency response at the State and/or local levels, either in anticipation of a severe disaster such as an imminent enemy attack, potential civil disturbance, forecast major natural or man-caused disaster or actual onset of conditions requiring the use of such forces which exceed the day-to-day response and activities of such forces and requires the coordinating of a complement of local, State, Federal or volunteer organizations. (ACT 687 of 1985)
- (d) "Local Organization for Emergency Services" means a county or municipal office of emergency services created and established in accordance with the provisions of this chapter to perform local emergency service functions within the existing political subdivisions of the state.
- (e) "Mobile Support Unit" (MSU) shall mean a unit for damage assessment, evaluation and recovery operations, created in accordance with this Act by State and local Emergency Services for personnel assigned to State and local governmental agencies. This composition of MSU's shall be determined by the nature of the disaster and type of assistance needed in the stricken area.
- (f) "State Department/Agency Liaison Office" shall mean personnel designated by each State Department/Agency head to coordinate with, advise, consult and otherwise support the State and local Offices of Emergency Services in developing plans, identifying resources, and such other activities as are deemed necessary to insure that all required resources of the State and a local government can be brought to bear in a coordinated manner to effect timely, efficient and economical response to any disaster or major emergency which may occur.

- (g) "Operational Control" shall mean the assigning of missions and the exercising of immediate command overall management of all resources committed by State and/or local government to a disaster operation or major emergency.

Unless otherwise delegated by executive order the chief executive of the State or local government, or head of the State or local Office of Emergency Services as his direct representative will exercise operational control of the occurrence and assign missions.

Each agency, department or organization will exercise control and authority over their personnel and resources to accomplish the assigned mission and will coordinate activities through the State or local Office of Emergency Services exercising operational control of the occurrence. Operational control does not imply, nor is it intended to include, administrative management, which will remain with the parent organization.

- (h) "Political Subdivision" shall mean all duly formed and constituted governing bodies created and established under the authority of the Constitution and laws of this State.
- (i) "Chief Executive" is synonymous with Head of Government and shall mean Governor, County Judge and Mayor or City Manager of incorporated places, dependent on the form and level of government.
- (j) "Governing Bodies" shall mean County Quorum Courts, City Councils, and City Boards of Directors.
- (k) "Public Safety Agency" shall mean an agency of the State of Arkansas or a functional division of a political subdivision which provides fire fighting and rescue; natural or man-caused disaster or major emergency response; law enforcement; and ambulance or emergency medical services.

State and local Offices of Emergency Services are considered in the context and definition of Public Safety Agencies for performance and/or coordination of functions defined as "emergency services" to the extent necessary for mitigation of, planning for, response to, and recovery from disasters or major emergencies.

- (l) "Public Safety Officer" of State and local Offices of Emergency Services shall mean those positions approved by the State Director in State and local staffing patterns and authorized by him to perform and/or coordinate "emergency services" functions to the extent necessary for mitigation of, planning for, response to and recovery from disasters or major emergencies within limitations of this Act.

Communications personnel may be designated as Public Safety Officers for the purposes of operating public safety communications networks and access to disaster or major emergency areas to operate mobile communications command post equipment. (ACT 687 of 1985)

- (l) (1) "Individual Assistance" shall mean funds and programs to provide for the immediate needs, including, but not limited to, food, clothing and shelter for individuals and families. (ACT 629 of 1985)
- (m) "Qualified Emergency Services Worker" shall mean a volunteer worker, duly qualified and registered with either an accredited local Emergency Services organization or the State Office of Emergency Services, and who has on file in either of the aforementioned the following: (1) Name and address; (2) Date enrolled; (3) Loyalty oath; and (4) Class of service assigned. (ACT 687 of 1985)
- (m) (1) "Public Assistance" shall mean funds and programs to make emergency repairs or restoration of public facilities to include, but not limited to, public owned and/or maintained facilities such as roads, streets, bridges, utilities, schools, and other structures and facilities. (ACT 629 of 1985)

- (n) "Accredited Local Emergency Services Organization" shall mean any local organization which as completed the requirements under this Act and who has complied with the rules promulgated by the State Office, and has received therefrom a letter of accreditation. (ACT 687 of 1985)
- (o) "Hazard Mitigation Assistance" means funds and programs to correct, alleviate or eliminate a condition or situation which poses a threat to life, property or public safety from the effects of disaster as defined in (3)(b). This may include, but is not limited to, raising, replacing, removing, rerouting or reconstructing existing public facilities such as roads, bridges, buildings, equipment, drainage systems or other public or private non-profit property as defined in PL 93-288, as amended by PL 100-707.
- (p) "Established local office of emergency services" means any one of the seventy-five (75) county or those specified municipal offices of emergency services accredited by the State Office of Emergency Services as of January 1, 1993 and any such additional municipal or interjurisdictional office of emergency services as may later be established by the Governor under this chapter.
- (q) "Interjurisdictional Agreement" means a mutual agreement between two (2) or more established local offices of emergency services, which is approved by executive order of the Governor in accordance with this chapter, to merge, integrate or otherwise combine the functions of the respective established local offices of emergency services for more effective, economical and efficient use of available personnel and resources. An agreement shall include specific provisions addressing the appointment, funding, administration and operational control of the emergency services coordinator and staff of the interjurisdictional office of emergency services.
- (r) "Emergency management standards" means standards of training, education and performance established by the director of the State Office of Emergency Services for employees of the State and established local offices of emergency services designed to insure competency and professionalism and to determine minimum qualifications for the receipt of federal or state emergency management funding or both.
- (s) "Emergency management requirements" means specific actions, activities and accomplishments required for funding of state and established local offices of emergency services or both under applicable state and federal emergency management program guidance and regulations. (ACT 1049 of 1993)
- (t) "Response assistance" means funds to defray the costs of emergency response that does not necessarily result in a disaster of the magnitude and scope described in Section 2 (b) but which requires the deployment and utilization of state and local government and private, non-profit emergency personnel, equipment and resources to protect and preserve lives and property and for the welfare of the citizens of Arkansas. (ACT 116 of 1995)

SECTION 4. LIMITATIONS.

Nothing in this Act shall be construed to:

- (a) interfere with the course or conduct of a labor dispute, except that action otherwise authorized by this Act or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health and safety;
- (b) interfere with dissemination of news or comments on public affairs; but any communications facility or organization (including but not limited to radio and television stations, wire services, and newspapers) may be required to transmit or print public service messages furnishing information or instructions in connection with a disaster emergency;

- (c) affect the jurisdiction or responsibilities of units of the armed forces of the United States or of any personnel thereof, when on active duty, or the day-to-day operations of law enforcement agencies or fire fighting forces; but State, local and interjurisdictional disaster or emergency operations plans shall place emphasis upon maximum utilization of forces available for performance of functions related to disaster and major emergency occurrences; or
- (d) limit, modify, or abridge the authority of the Governor to proclaim martial law or of the Governor or chief executive of a political subdivision to exercise any other powers vested in him under the constitution, statutes, or common law of this state independent of, or in conjunction with, any provisions of this Act. (ACT 687 of 1985)

SECTION 5. STATE OFFICE OF EMERGENCY SERVICES.

- (a) An Office of Emergency Services is hereby established as a public safety agency of the State of Arkansas.

The office shall have a Director appointed by the Governor, with the advice and consent of the Senate and to serve at the pleasure of the Governor. Provided, that the present Director of the Office of Civil Defense and Disaster Relief shall serve as Director of the Office of Emergency Services until his successor is appointed and confirmed by the Senate, as provided herein.

The office shall have such professional, technical, secretarial, and clerical employees and may make such expenditures within the appropriation therefor, or from any Federal or other funds made available to it from any source whatsoever for the purpose of Emergency Services, as may be necessary to carry out the purposes of this Act.

All such employees shall be in job positions as approved by the Merit System Council. (ACT 687 of 1985)

- (b) The Office shall prepare and maintain a State Disaster Plan and keep it current, which plan may include:
 - (1) prevention and minimization of injury and damage caused by disaster;
 - (2) measures for prompt and effective response to disasters;
 - (3) emergency relief;
 - (4) identification of areas particularly vulnerable to disasters;
 - (5) recommendations for zoning, building, and other land use controls, safety measures for securing mobile homes or other non-permanent or semi-permanent structures, and other preventive and preparedness measures designed to eliminate or reduce disasters or their impact;
 - (6) assistance to local officials in designing local emergency action plans;
 - (7) authorization and procedures for erection or other construction of temporary works designed to protect against or mitigate danger, damage, or loss from flood, conflagration, or other disasters;
 - (8) preparation and distribution to appropriate State and local officials of State catalogues of Federal, State and private assistance programs;
 - (9) organization of manpower and the establishment of chains of command;

- (10) coordination of Federal, State and local disaster activities
 - (11) coordination of the State Disaster Plan with the disaster plans of the Federal Government; and
 - (12) other necessary matters.
- (c) The Office of Emergency Services shall take an integral part in the development and revision of local and interjurisdictional disaster plans prepared under Section 10. To this end it shall employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to potential subdivisions, their disaster agencies, and interjurisdictional planning and disaster agencies.

These personnel shall consult with subdivisions and agencies on a regularly scheduled basis and shall make field examinations of the area, circumstances, and conditions to which particular local and interjurisdictional disaster plans are intended to apply, and may suggest or require revision. (ACT 408 of 1977)

- (d) In preparing and revising the State Disaster Plan, the Office of Emergency Services shall seek the advice and assistance of state agencies, local government, business, labor, industry, agriculture, civil and volunteer organizations and community leaders. In advising local and interjurisdictional agencies, the Office shall encourage them also to seek advice from these sources.
- (e) The State Disaster Plan or any part thereof may be incorporated in regulations of the Office of Emergency Services or executive orders which have the force and effect of law.
- (f) The Office shall, with the assistance and cooperation of other State and local government agencies:
- (1) determine requirements of the State and its political subdivisions for food, clothing, and other necessities in event of an emergency;
 - (2) procure, and pre-position supplies, medicines, materials, and equipment;
 - (3) promulgate standards and requirements for local and interjurisdictional disaster plans;
 - (4) periodically review local and interjurisdictional disaster plans;
 - (5) provide for mobile support units;
 - (6) establish and operate or assist political subdivisions, their disaster agencies, and interjurisdictional disaster agencies to establish and operate training programs and programs of public information;
 - (7) make surveys of industries, resources, and facilities, within the State both public and private, as are necessary to carry out the purposes of this Act;
 - (8) plan and make arrangements for the availability and use of any private facilities, services, and property and, if necessary and if in fact used, provide for payment for use under terms and conditions agreed upon;
 - (9) establish a register of persons with types of training and skills important in emergency prevention, preparedness, response, and recovery;
 - (10) establish a register of mobile and construction equipment and temporary housing available for use in a disaster emergency;

- (11) prepare, for issuance by the Governor, executive orders, proclamations, regulations as necessary or appropriate in coping with disasters;
 - (12) cooperate with the Federal Government and any public or private agency or entity in achieving the purpose of this Act and in implementing programs for disaster prevention, preparation, response and recovery; and
 - (13) do other things necessary, incidental, or appropriate for the implementation of this Act.
- (g) The State Office of Emergency Services shall operate and maintain a telecommunications network which will make available a communications link with the Federal Emergency Management Agency, National Advance Warning System, National Weather Service, such state agencies as are assigned an emergency management role in the State of Arkansas Emergency Operations Plan and local Offices of Emergency Services.

In addition to these minimum requirements, additional communications networks may be established as deemed necessary by the Director. (ACT 687 of 1985)

SECTION 6. EMERGENCY SERVICES ADVISORY COUNCIL. Repealed by ACT 891 of 1981.

SECTION 7. EMERGENCY SERVICES RESPONSIBILITIES OF ALL STATE AND LOCAL GOVERNMENT DEPARTMENTS AND AGENCIES.

- (a)
 - (1) It is the policy of this chapter that each department, commission, agency or institution of state and local government actively and aggressively support the state and local offices of emergency services to the end of providing the best possible preparation for and response to any emergency situation which may occur.
 - (2) In furtherance of this policy, it is directed that the head of each state department, commission, agency, or institution with an emergency management role or responsibility appoint a member or members of his staff as agency emergency services liaison officer or officers to act on his behalf in insuring the agency's capability to fulfill its role in emergency services activities.
- (b) It will be the responsibility of this officer to:
 - (1) Maintain close and continuous liaison with the state office of emergency services as applicable;
 - (2) Prepare agency annexes to the state and, as applicable, local emergency operations plan which are compatible with this chapter and with guidance provided by the state office of emergency services;
 - (3) Maintain files of agency resources to include personnel, facilities, and equipment available for disaster operation;
 - (4) Insure that the agency can respond promptly and cooperatively with other agencies in any disaster or major emergency situation under the overall management of the state office of emergency services;
 - (5) Advise, assist, and evaluate the capabilities of counterpart local or federal government agencies in preparing for and carrying out disaster operations;
 - (6) Designate personnel available for assignment to mobile support units and to train such personnel in the tasks to be performed; and
 - (7) Perform other related functions necessary to carry out the purpose of this chapter.

- (c) As conditions or situations may require or dictate, the director of the state office of emergency services may request a state department, agency or institution not currently participating in the emergency services liaison officer program to appoint an officer in accordance with this section.
- (d) Nothing in the foregoing shall be interpreted as relieving or otherwise abridging the responsibility and authority of agency directors in carrying out disaster operations for which their agencies are solely responsible. (ACT 1049 of 1993)

SECTION 8. THE GOVERNOR AND DISASTER EMERGENCIES.

- (a) The Governor is responsible for meeting and mitigating, to the maximum extent possible, dangers to the people and property of the State presented or threatened by disasters.
- (b) Under this Act, the Governor may issue executive orders, proclamations, and regulations and amend or rescind them. Executive orders, proclamations, and regulations have the force and effect of law.
- (c)
 - (1) There is created within the Office of the Governor a disaster response fund, a disaster recovery fund and a hazard mitigation fund which shall be separate and apart from the Governor's standard emergency fund.
 - (2) The initial amount of the disaster response fund shall be in the amount of five hundred thousand dollars (\$500,000), the disaster recovery fund shall be in the amount of two million dollars (\$2,000,000) and the hazard mitigation fund shall be in the amount of one million dollars (\$1,000,000), with:
 - (A) The sum of one million dollars (\$1,000,000) solely for use in the individual assistance;
 - (B) The sum of one million dollar (\$1,000,000) solely for use in public assistance;
 - (C) The sum of one million dollars (\$1,000,000) solely for use in hazard mitigation assistance; and
 - (D) The sum of five hundred thousand dollars (\$500,000) solely for use to defray the cost of immediate emergency response.
 - (3) The Governor's disaster fund may be increased from time to time at the discretion of the Governor.
 - (4) Expenditures from the individual assistance and public assistance funds may only be made in the event of a disaster as defined in Section 3 (2) and only upon proclamation by the Governor.
 - (5) Expenditures from the emergency response fund shall be made by executive order of the Governor, upon recommendation and verification by the Director of the State Office of Emergency Services and may only be made to defray immediate costs associated with response activities by emergency forces of state and local governments and private, non-profit forces duly registered in accordance with Section 21.
 - (6) Expenditures from the hazard mitigation fund shall be made by executive order of the Governor. The Director of the State Office of Emergency Services shall establish and maintain a current hazard vulnerability analysis of key critical public facilities eligible for assistance under the Governor's hazard mitigation fund. (ACT 116 of 1995)
- (d) A disaster emergency shall be declared by executive order or proclamation of the Governor if he finds a disaster has occurred or that the occurrence or the threat thereof is imminent.

The state of disaster emergency shall continue until the Governor finds that the threat or danger has passed or the disaster has been dealt with to the extent that emergency conditions no longer exist and terminates the state of disaster emergency by executive order or proclamation, but no state disaster emergency may continue for longer than thirty (3) days unless renewed by the Governor.

The Legislature by concurrent resolution may terminate a state of disaster emergency at any time. Thereupon, the Governor shall issue an executive order or proclamation ending the state of disaster emergency.

All executive orders or proclamations issued under this subsection shall indicate the nature of the disaster, the area or areas threatened, the conditions which have brought it about or which make possible termination of the state of disaster emergency.

An executive order or proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the disaster prevent or impede, filed promptly with the State Office of Emergency Services, the Secretary of State, and the County or City Clerk of the political subdivision to which it applies.

- (d)
 - (1) During the continuance of any state of disaster emergency, the Governor in Commander- in-Chief of all forces available for emergency duty.
 - (2) To the greatest extent practicable, the Governor shall delegate or assign operational control by prior arrangement embodied in appropriate executive orders or regulations, but nothing herein restricts his authority to do so by orders issued at the time of disaster emergency.
- (e) In addition to any other powers conferred upon the Governor by law, he may:
 - (1) Suspend the provisions of any regulatory statutes prescribing the procedures for conduct of state business, or the orders, rules or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;
 - (2) Utilize all available resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the disaster emergency;
 - (3) Transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services;
 - (4) Subject to any applicable requirements for compensation under Section 15, commandeer or utilize any private property if he finds this necessary to cope with the disaster emergency;
 - (5) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within he state if he deems this action necessary for the preservation of life or other disaster mitigation, response, or recovery;
 - (6) Prescribe routes, modes of transportation, and destinations in connection with evacuation;
 - (7) Control ingress and egress to and from a disaster area, the movement of persons within he area, and the occupancy of premises therein;
 - (8) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles; and

- (9) Make provisions for the availability and use of temporary emergency housing. (ACT 116 of 1995)
- (f) During the continuance of any state of disaster emergency the Governor is Commander-in- Chief of all forces available for emergency duty. To the greatest extent practicable, the Governor shall delegate or assign operational control by prior arrangement embodied in appropriate executive orders or regulations, but nothing herein restricts his authority to do so by orders issued at the time of the disaster emergency.
- (g) In addition to any other powers conferred upon the Governor by law, he may:
- (1) suspend the provisions of any regulatory statutes prescribing the procedures for conduct of State business, or the orders, rules, or regulations of any State agency, if strict compliance with the provisions of any statute, order, rule, or regulations would in any way prevent, hinder, or delay necessary action in coping with the emergency;
 - (2) utilize all available resources of the State government and of each political subdivision of the State as reasonably necessary to cope with the disaster emergency;
 - (3) transfer the direction, personnel, or functions of State departments and agencies or units thereof for the purpose of performing or facilitating emergency services;
 - (4) subject to any applicable requirements for compensation under Section 15 commandeer or utilize any private property if he finds this necessary to cope with the disaster emergency;
 - (5) direct and compel the evacuation of all or part of the population from any stricken or threatened area within the State if he deems this action necessary for the preservation of life or other disaster mitigation, response, or recovery;
 - (6) prescribe routes, modes of transportation, and destinations in connection with evacuation;
 - (7) control ingress and egress to and from the disaster area, the movement of persons within the area, and the occupancy of premises therein;
 - (8) suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles, and
 - (9) make provision for the availability and use of temporary emergency housing.
- (h) Due to the time critical nature of response to the scene of a disaster or major emergency occurrence, the Director of the State Office of Emergency Services is authorized to designate appropriate vehicles as requested in the staffing pattern of the State and local Offices of Emergency Services and other state agency vehicles with an emergency service response requirement as emergency response vehicles.
- (1) Designated State and local government emergency response vehicles under this Act shall share the same privileges and immunities regarding traffic laws and ordinances as other emergency vehicles as defined by State law.
 - (2) Emergency vehicles authorized by this Act shall be identified by a flashing light or rotating beacon which will be green in color.
 - (3) When responding to an emergency, the designated emergency vehicle shall have flashing lights or rotating beacon activated and must be equipped with and operating a siren device. (ACT 687 of 1985)

SECTION 9. MOBILE SUPPORT UNITS.

- (a) The Governor or his duly designated representative is authorized to create and establish such number of Mobile Support Units as may be necessary to reinforce disaster organizations in stricken areas and with due consideration of the plans of the federal government and of other states.

He shall appoint a commander for each unit, who shall have primary responsibility for the organization, administration, and operation of such unit. Mobile Support Units shall be called to duty upon orders of the Governor or his Director and shall perform their functions in any part of the State, or upon the conditions specified in this Section, in other states.

- (b) Personnel of Mobile Support Units while on duty, whether within or without the State, shall:
- (1) if they are employees of the State, have the powers, duties, rights, privileges, and immunities, and receive the compensation incidental to their employment;
 - (2) if they are employees of a political subdivision of the State, and whether serving within or without such political subdivision, have the powers, duties, rights, privileges, and immunities, and receive the compensation incidental to their employment; and (ACT 408 of 1977)
 - (3) if they are not employees of the State or a political subdivision thereof, be entitled to compensation by the State for expenses incidental to their services and to the same rights and immunities as are provided by law for the employees of this State.

All personnel of Mobile Support Units shall, while on duty, be subject to the operational control of the authority in charge of disaster activities in the area in which they are serving, and shall be reimbursed for all actual and necessary travel and subsistence expenses. (ACT 891 of 1981)

SECTION 10. LOCAL AND INTERJURISDICTIONAL DISASTER AGENCY AND SERVICES.

- (a) (1) Each political subdivision within this State shall be within the jurisdiction of and served by the State Office of Emergency Services and by a local or interjurisdictional Office of Emergency Services.
- (2) Local or interjurisdictional Office of Emergency Services shall be established as public safety agencies of their respective political subdivisions and be under the direction and control of the appropriate chief executive for the purposes of mitigation of, planning for, response to, and recovery from disaster and major emergency occurrences and for operation of public safety communications networks.
- (b) Each county within the state and those municipalities specifically designated by the Governor shall establish, fund and maintain an established local office of emergency services or, as necessary, make arrangements through an interjurisdictional agreement to receive such services.

Unless a municipality has been specifically designated as a local organization of emergency services, it shall receive emergency services support from the county, or counties within which its corporate limits are situated.

- (c) (1) The Governor shall determine if additional municipal or interjurisdictional offices of emergency are required based on an assessment conducted by the director of the State Office of Emergency Services using one (1) or more of the factors enumerated in Section 11 (a).
- (2) The State Office of Emergency Services shall publish and keep current a list of municipalities required to have offices of emergency services under this subsection.

- (d) Any provision of this chapter or other law to the contrary notwithstanding, the Governor may require a political subdivision to establish and maintain an Office of Emergency Services jointly with one (1) or more contiguous political subdivisions if he finds that the establishment and maintenance of any agency or participation therein is made necessary by circumstances or conditions that make it unusually difficult to provide disaster or major emergency prevention, preparedness, response, or recovery services under other provisions of this chapter.
- (e) Each political subdivision which does not have an Office of Emergency Services and has not made arrangements to secure or participate in the services of an agency shall have a liaison officer designated to facilitate the cooperation and protection of that subdivision in the work of disaster and major emergency prevention, preparedness, response, and recovery.
- (f)
 - (1) The chief executive of each political subdivision shall exercise comparable authority within his political subdivision, and within the limits of the Constitution and laws of the State of Arkansas, as the Governor exercises over the state government during disasters and major emergencies. He shall insure, to the maximum extent possible, that his jurisdiction meets the minimum expected capability for disaster/emergency mitigation, planning, response and recovery.
 - (2) He shall notify the State Office of Emergency Services of the manner in which the political subdivision is providing or securing disaster planning and emergency services, provide a staffing pattern for the local office of emergency services, identify the person who heads the local office, and furnish additional information relating thereunto as the state office requires.
- (g) Each local and interjurisdictional Office of Emergency Services shall prepare and keep current an Emergency Operations Plan for its area. The basic plan and all annexes must be approved by the Office of Emergency Services of the political subdivision and receive concurrence of the chief executive, then the plan must be submitted to the State Office of Emergency Services for approval prior to implementation.
- (h) The local or interjurisdictional Office of Emergency Services, as the case may be, shall prepare a statement. This statement shall be distributed to all appropriate officials in written form and shall be a clear and complete statement of the emergency responsibilities of all local agencies and officials and of the disaster and major emergency chain of command.
- (i)
 - (1) The county judge of each county and the chief executive officer of those municipal jurisdictions specifically designated as established offices of emergency services shall appoint an emergency services coordinator for their respective offices of emergency services.

The written mutual agreement between the participating jurisdictions in an interjurisdictional office of emergency services, executed pursuant to Section 11(a), shall govern the appointment of the emergency services coordinator of the interjurisdictional office.

The emergency services coordinator shall act for and on behalf of the appropriate chief executive officer to manage and coordinate the functions, duties and activities of the established local office of emergency services.

- (2) The local emergency services coordinator and such supporting staff of an established local office of emergency services as may be employed in part, or in whole, by state and/or federal emergency management program funds, shall be responsible for meeting all standards and requirements stipulated for funding under the programs.

- (3) The director of the state office of emergency services shall establish and periodically review criteria necessary to insure compliance with minimum standards and requirements.

Failure to meet or maintain minimum standards and requirements or non-compliance with any part of this chapter by an established local office of emergency services may result in a decision by the director to reduce, withhold or terminate partial or full funding for any or all office of emergency services programs in which the political subdivision participates or for which they may be otherwise eligible.

- (j)
 - (1) Local Office of Emergency Services shall operate and maintain as a minimum a telecommunications link with the State Office of Emergency Services.
 - (2) When authorized by the chief executive of the political subdivision and properly staffed, the local Office of Emergency Services may operate a Public Safety Communications Center for the purposes of coordination, dispatch, and information services for local government public safety agencies and private or volunteer agencies with an emergency service mission.

The Public Safety Communications Center must be staffed by paid Office of Emergency Services public safety officers of the political subdivision and operate on a continuous basis if it is to serve as a law enforcement or fire dispatch and service center. (ACT 687 of 1985 & ACT 1049 of 1993)

SECTION 11. ESTABLISHMENT OF INTERJURISDICTIONAL DISASTER PLANNING AND SERVICE AREAS.

- (a)
 - (1) The Governor may, by executive order, combine two (2) or more established local offices of emergency services as an interjurisdictional office of emergency services. Prior to such combination, the jurisdictions involved shall prepare for the Governor's approval a written mutual agreement that specifies how and by whom the emergency services coordinator shall be appointed.

The agreement shall also include specific provisions addressing the funding, administration, staff and operational control of the interjurisdictional office.

The interjurisdictional office of emergency services shall meet the same minimum standards and requirements as a single jurisdiction office of emergency services in order to maintain eligibility for state and federal emergency management funding and program assistance.

- (2) A finding of the Governor pursuant to this subsection shall be based on an assessment conducted by the director of the State Office of Emergency Services using one(1) or more factors related to the difficulty of maintaining an efficient, effective and economical system for disaster/emergency preparedness, mitigation, response and recovery such as:
 - (A) small or sparse population;
 - (B) limitations on public financial resources severe enough to make maintenance of a separate established local office of emergency services unreasonably burdensome;
 - (C) unusual vulnerability to disaster emergency based on geographical, geological, hydrological, meteorological or technological disaster potential;
 - (D) other relevant conditions or circumstances. (ACT 1049 of 1993)

- (b) If the Governor finds that a vulnerable area lies only partly within this State and includes territory in another state or states and that it would be desirable to establish an interstate relationship, mutual aid, or an area organization for disaster, he shall take steps toward that end as may be desirable.

If this action is taken with jurisdictions which have enacted the Interstate Civil Defense Disaster Compact, and resulting agreement or agreements may be considered supplemental agreement pursuant to Article VI of the compact.

- (c) If the other jurisdiction or jurisdictions with which the Governor proposes to cooperate pursuant to subsection (b) hereof have not enacted that compact, he may negotiate a special agreement with the jurisdiction or jurisdictions.

Any agreement, if sufficient authority for the making thereof does not otherwise exist, becomes effective only after its text has been communicated to the Legislature and provided that neither House of the Legislature has disapproved it by adjournment of the next ensuing session competent to consider it or within thirty (30) days of its submission, whichever is longer.

SECTION 12. MUTUAL AID.

- (a) Political subdivisions not participating in interjurisdictional arrangements pursuant to this Act nevertheless shall be encouraged and assisted by the Office of Emergency Services to conclude suitable arrangements for furnishing mutual aid in coping with disaster. The arrangements shall include provision of aid by persons and units in public employ.
- (b) In passing upon local disaster plans, the Governor shall consider whether they contain adequate provisions for the rendering and receipt of mutual aid.
- (c) It is a sufficient reason for the Governor to require an interjurisdictional agreement or arrangement pursuant to Section 11 of this Act that the area involved and political subdivisions therein have available equipment, supplies, and forces necessary to provide mutual aid on the regional basis and that the political subdivisions have not already made adequate provision for mutual aid; but in requiring the making of an interjurisdictional arrangement to accomplish the purpose of this Section, the Governor need not require establishment and maintenance of an interjurisdictional agency or arrangement of any other disaster purpose.
- (d)
 - (1) Mutual aid agreements between political subdivisions are encouraged, thereby providing each political subdivisions with a larger complement of resources.
 - (2) The coordinators of the office of emergency services of the participating political subdivisions will approve mutual aid agreements, which will become effective upon concurrence of the chief executives of the participating subdivisions or the head of a private or volunteer agency. (ACT 1049 of 1993)
- (e) The directors of the Office of Emergency Services of the participating political subdivisions will approve mutual aid agreements, which will become effective upon concurrence of the chief executives of the participating subdivisions or the head of a private or volunteer agency.
- (f) Public Safety Communications Centers of the Office of Emergency Services may coordinate and dispatch public safety and governmental agencies of their political subdivision and, through mutual aid agreements, the public safety and governmental agencies of adjacent or multiple political subdivisions on a day-to-day basis, thus permitting consolidation of resources and improve response and coordination. (ACT 687 of 1985)

SECTION 13, LOCAL DISASTER EMERGENCIES.

- (a) A local disaster emergency may be declared only by the principal executive officer of a political subdivision. It shall not be continued or renewed for a period or excess of seven (7) days except by or with the consent of the governing body of the political subdivision.

Any order or proclamation declaring, continuing, or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the City or County Clerk, as applicable.

- (b) The effect of a declaration of a local disaster emergency is to activate the response and recovery aspects of any and all applicable local or interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance thereunto.
- (c) No interjurisdictional agency or official thereof may declare a local disaster emergency, unless expressly authorized by the agreement pursuant to which the agency functions. However, an interjurisdictional disaster agency shall provide aid and services in accordance with the agreement pursuant to which it functions.

SECTION 14. DISASTER PREVENTION.

- (a) In addition to disaster prevention measures as included in the State, local and interjurisdictional disaster plans, the Governor shall consider on a continuing basis steps that could be taken to prevent or reduce the harmful consequences of disasters.

At his direction, and pursuant to any other authority and competence they have, state agencies, including but not limited to those charged with responsibilities in flood plain management, stream encroachment and flow regulation, weather modification, fire prevention and control, air quality, public works, land use and land use planning, and construction standards, shall make studies of disaster prevention related matters.

These studies will be furnished to the Governor and Office of Emergency Services as soon as possible after completion and shall concentrate on means of reducing or avoiding damage caused by possible disasters to their consequence thereof.

The Governor, from time shall make recommendations to the Legislature, local government, and other appropriate public and private entities as may facilitate measures for prevention or reduction of the harmful consequences of disasters.

- (b) If the Office of Emergency Services believes on the basis of the studies or other competent evidence that an area is susceptible to a disaster of catastrophic proportions without adequate warning, that existing building standards and land use control in that area are inadequate and could add substantial to the magnitude of the disaster, and that changes in zoning regulations, other land use regulations, or building requirements are essential in order to further the purposes of this section, it shall specify the essential changes to the Governor.

If the Governor upon review of the recommendation finds after public hearing that the changes are essential, he shall so recommend to the agencies or local governments with jurisdiction over the area and subject matter.

If no action or insufficient action pursuant to his recommendations is taken within the time specified by the Governor, he shall so inform the Legislature and request legislative action appropriate to mitigate the impact of disaster.

- (c) The Governor at the same time that he make his recommendations pursuant to subsection (c), may suspend the standard or control which he finds to be inadequate to protect the public safety and by regulation place a new standard or control in effect. The new standard or control shall remain in effect until rejected by concurrent resolution of both houses of the Legislature or amended by the Governor.

During the time it is in effect, the standard or control contained in the Governor's regulation shall be administered and given full effect by all relevant regulatory agencies of the State and local governments to which it applies. The Governor's action is subject to judicial review in accordance with State administrative procedures act but shall not be subject to temporary stay pending litigation. (ACT 891 of 1981)

SECTION 15. COMPENSATION.

- (a) Each person within this State shall conduct himself and keep and manage his affairs and property in ways that will reasonably assist and will not unreasonably detract from the ability of the State and the public to successfully meet disaster emergencies.

This obligation includes appropriate personal service and use or restriction on the use of property in time of disaster emergency. This Act neither increases or decreases these obligations but recognized their existence under the constitution and statues of this State and the common law.

Compensation for services or for the taking or use of property shall be only to the extend that obligations recognized herein are exceeded in a particular case and then only to the extent that the claimant may not be deemed to have volunteered his services or property without compensation.

- (b) No personal services may be compensated by the State or any subdivision or agency thereof, except pursuant to statute or local law or ordinance.
- (c) Compensation for property shall be only if the property was commandeered or otherwise used in coping with a disaster emergency and its use or destruction was ordered by the Governor or a member of the disaster emergency forces of this State.
- (d) Any person claiming compensation for use, damage, loss, or destruction of property under this Act shall file a claim therefor with the State Claims Commission in the form and manner that Claims Commission provides.
- (e) Unless the amount of compensation on account of property damaged, lost, or destroyed is agreed between the claimant and the Claims Commission the amount of compensation shall be calculated in the same manner as compensation due for a taking of property pursuant to the condemnation laws of this State.
- (f) Nothing in this Section applies to or authorizes compensation for the destruction or damaging of standing timber or other property in order to provide a fire break or to the release of waters or the breach of impoundments in order to reduce pressure or other danger from actual or threatened flood.

SECTION 16. IMMUNITY AND EXEMPTION.

- (a) All functions hereunder and all other activities relating to emergency services are hereby declared to be governmental functions.

No emergency services worker, except in cases of wilful misconduct, gross negligence or bad faith, when complying with or reasonably attempting to comply with this Act, or any other, rule, or regulation promulgated pursuant to the provisions of this Section, or pursuant to any ordinance relating to black out or other precautionary measures enacted by any political subdivision of the State, shall be liable for the death of or injury to persons, or for damage to property, as a result of any such activity.

Provided that the foregoing immunity shall extend to both emergency services workers who are employees, and to qualified emergency services workers who are volunteers.

The provisions of this Section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this Act, or under the Workmen's Compensation Law, or under the pension law, nor the right to any such person to receive any benefits or compensation under any act of Congress.

- (b) Any requirement for a license to practice any professional, mechanical, or other skill during an emergency. Provided, however, that the foregoing shall not apply to required medical licenses except in cases of first aid treatment.
- (c) As used in this Section the term "emergency service worker" shall include those persons qualified under Section 3 (j) of this Act and any full or part time paid, volunteer, or auxiliary employees of this State, or other states, territories, possessions or the District of Columbia, of the Federal Government, or any neighboring country, or of any political subdivision thereof, or of any agency or organization, performing emergency preparedness services at any place in this State subject to the order or control of or pursuant to a request of the State government or any political subdivision thereof.
- (d) Any emergency services workers, as defined in this Section, performing emergency preparedness services at any place in this State pursuant to agreement, compact or arrangements for mutual aid and assistance, to which the State or a political subdivision thereof is a party, shall possess the same powers, duties, immunities, and privileges he would ordinarily possess if performing his duties in the State, province, or political subdivision thereof in which normally employed or rendering services.

SECTION 17. NO PRIVATE LIABILITY.

Any person owning or controlling real estate or other premises who voluntarily and with or without compensation grants a license or privilege, or otherwise permits the designation or use of a whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending, mock or practice attack shall, together with his successors in interest, if any, not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises for loss of or damage to, the property of such person.

Provided, also, that the foregoing immunity shall extend to those persons who have voluntarily and with or without compensation granted the use of automotive vehicles, boats, or similar equipment, and/or aircraft for use under the above described circumstances.

SECTION 18. APPROPRIATIONS AND AUTHORITY TO ACCEPT SERVICES, GIFTS, GRANTS AND LOANS.

- (a) Each political subdivision shall have the power to make appropriations in the manner provided by law for making appropriations for the ordinary expenses of such political subdivision for the payment of expenses of its local organization for emergency services.

- (b) Whenever the Federal government or any agency or officer thereof shall offer the State, or through the State to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gifts, grants or loan, for purpose of emergency services or natural disaster relief, the State, acting through the Governor, or such political subdivisions, acting with the consent of the Governor and through its executive officer or governing body, may accept such offer and upon such acceptance the Governor of the State or executive officer or governing body of such political subdivision, as the case may be, to receive such services, equipment, supplies, materials, or funds on behalf of the State or such political subdivision, and subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer.
- (c) Whenever any person, firm, or corporation shall offer to the State or to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant or loan of purpose of emergency services, the State, acting through the Governor or such political subdivision, acting through its executive officer or governing body, may accept such offer and upon such acceptance the Governor of the State or executive officer or governing body of such political subdivision may authorize any officer of the State or of the political subdivision, as the case may be, to receive such services, equipment, materials or funds on behalf of the State or such political subdivision, and subject to the terms of the offer.

SECTION 19. UTILIZATION OF EXISTING SERVICES AND FACILITIES.

In carrying out the provisions of this Act, the Governor and the executive officers or governing bodies of the political subdivisions of the State are directed to utilize the services, equipment, supplies and facilities of existing departments, offices, and agencies of the State and of the political subdivisions thereof to the maximum extent practicable, and the officers and personnel of all such departments, offices and agencies are directed to cooperate with and extend such services and facilities to the Governor and to the Emergency Services organization of the State upon request.

SECTION 20. POLITICAL ACTIVITY PROHIBITED.

No organization for emergency services established under the authority of this Act shall participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes.

SECTION 21. EMERGENCY SERVICES PERSONNEL.

- (a) No person shall be employed or associated in any capacity in any emergency services organization established under this Act who advocates or has advocated a change by force of violence in the constitutional form of the Government of the United States or in this State or the overthrow of any government in the United States by force or violence, or who has been convicted or is under indictment or information charging any subversive act against the United States.

Each person who is appointed to serve in the organization for emergency services shall, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this State, which oath shall be substantially as follows:

"I _____, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Arkansas, against all enemies, foreign and domestic; that I will bear true faith and allegiance of the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."

- (b) The Director of the State Office of Emergency Services and persons he may designate from the State and local Offices of Emergency staffing patterns shall be sworn public safety officers as defined and limited by this Act.

Determination of the need for such designation shall be based on their responsibilities in mitigation of, planning for, response to and recovery from disasters or major emergency occurrences and the public safety communications operations. (ACT 687 of 1985)

SECTION 22. WORKER'S COMPENSATION BENEFITS FOR EMERGENCY SERVICES WORKERS.

- (a) Recovery from the injury or death of persons appointed and regularly enrolled in emergency services organizations as contemplated by this Act, while actually engaged in emergency service duties, either during training or during a period of emergency, shall be limited to the provisions of the Worker's Compensation Act, if such persons are regularly employed by a local government or the State of Arkansas, or if such person is a qualified emergency services volunteer worker of the State of Arkansas or an accredited local organization for emergency services, recovery shall be limited as hereinafter provided.
- (b) The remedy provided herein shall be the exclusive remedy as against the State and political subdivision thereof.
- (c) For the purpose of Worker's Compensation coverage in cases of injury to or death of an individual, all duly registered and qualified emergency services volunteer workers shall be deemed local government or State employees and shall receive compensation and their survivors shall receive death benefits in like manner as regular local government or State employees for injury or death arising out of and in the course of their activities as emergency services volunteer workers.

If a volunteer worker is injured or killed while subject to the order or control of a local government, compensation and benefits will be made from the MTA Fund (Miscellaneous Revolving) and charged against the applicable local government's experience rate.

If the volunteer was under the order or control of a State Agency when injured or killed, compensation and benefits will be made from the TUW Fund (Worker's Compensation Revolving) and charged against the experience rate of the State Agency who exercised order or control at the time of injury or death.

- (d) For the purpose of subsection (c) of this Section, such emergency services volunteer workers who receive no monetary compensation for services rendered as such workers shall be deemed to have received such wages as will qualify them for maximum benefits applicable with respect to injury, disability, or death.

The reimbursement of twenty-five dollars (\$25.00), or less for out-of-pocket expenses incurred in response to an emergency situation, such as gasoline, oil, uniforms and required equipment, etc., shall not be construed monetary compensation for the volunteer workers.

- (e) In the event that any person who is entitled to receive benefits through the application of subsection (d) of his section receives, in connection with the injury, disability or death giving rise to such entitlement benefits under an Act of Congress or Federal program providing benefits for emergency services workers or their survivors, the benefits payable hereunder shall be reduced to the extent of the benefits received under such other Act or program.

Any person who performs the duties of such member or trainee as an adjunct to his regular employment and who otherwise would be entitled to receive Worker's Compensation benefits for his injury, disability, or death, is injured in the performance of such duties, shall be deemed to have been injured, disabled or killed in the course of his regular employment.

- (f) An emergency services volunteer worker shall be deemed duly registered and qualified when he meets the following requirements:

When he is a member of and has on file in either an accredited local emergency services organization, or in the Office of Emergency Services the following information:

- (1) name and address
 - (2) date enrolled
 - (3) loyalty oath
 - (4) class of service assigned
- (g) Payment, death and disability benefits as herein provided shall be made from the Worker's Compensation revolving fund for state employees. (ACT 891 of 1981)

SECTION 24.

Appropriations and allocations of funds made to Civil Defense, Disaster Relief and/or Crisis Management shall be construed as appropriated and allocated to the Office of Emergency Services, and all property owned by, assigned to or controlled by the Office of Civil Defense and Disaster Relief, is hereby transferred to the Office of Emergency Services.

SECTION 25. REPEALING CLAUSE.

This Act repeals Act 156 of 1959 (Arkansas Statutes 11-1916 through 11-1933). This Act shall not be deemed to repeal any other existing laws pertaining to emergency services, but shall be cumulative thereto. All laws and parts of laws in conflict with this act are hereby repealed. (ACT 116 of 1995)

SECTION 26. SEVERABILITY.

If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to severable. (ACT 116 of 1995)

SECTION 27. ENFORCEMENT

It shall be the duty of every organization for emergency services established pursuant to this Act and of the officers thereof to execute and enforce such orders, rules, and regulations as may be made by the Governor under authority of this Act. Each such organization shall have available for inspection at its office all orders, rules, and regulations made by the Governor, or under his authority.

SECTION 28. SAVING CLAUSE.

This Act shall not impair or affect any act done, offense committed or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment incurred prior to the time this Act takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if this Act had not been passed.

SECTION 29. EMERGENCY CLAUSE.

It has been found and is declared by the General Assembly of Arkansas that there is an immediate necessity to hasten the completion of plans to prepare this State and people thereof against the possibilities of disaster resulting from enemy attack, sabotage or other hostile action, from natural disasters, such as fire, flood, earthquake or other natural causes, and from man-caused peacetime emergencies, and that enactment of this bill will hasten completion of such plans.

Therefore, an emergency is declared to exist, this Act being necessary for the preservation of the public peace, health and safety, shall take effect and be in force and operation from the date of its approval.

APPROVED: March 30, 1973